

**LIPMAN & PLESUR, LLP**

**PRACTICE IN THE AREA OF EMPLOYMENT AND LABOR LAW**

THE JERICHO ATRIUM • 500 N. BROADWAY • SUITE 105 • JERICHO, NY 11753-2131 • 516-931-0050

1350 BROADWAY • SUITE 2210 • NEW YORK, NY 10018-7802 • 212-661-0085

FACSIMILE 516-931-0030

[attorneys@lipmanplesur.com](mailto:attorneys@lipmanplesur.com)

**VIA FACSIMILE**

Hon. Robert W. Sweet  
United States District Judge  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 1920  
New York, NY 10007

June 17, 2008

**Re: Marlon Castro et al. v. Spice Place, Inc. et al.**  
**07 CV 4657 (RWS)**

Dear Judge Sweet:

We are co-counsel for defendants in the above-referenced case. After reaching a settlement with the Attorney General at our last settlement conference and working diligently over the past couple of weeks to work out the terms, we were notified today that "higher-ups" at the Attorney General's office will not approve the settlement as had been agreed and discussed with Your Honor. Defendants therefore request that they be permitted to respond to plaintiffs' motion for a class and collective action on or before July 17, 2008. Plaintiffs have not yet responded to our request that they consent to this proposed adjournment. Thank you for your consideration of this matter.

Respectfully,



Robert D. Lipman

RDL:ljt

cc: Peter G. Eikenberry, Esq. (Via E-Mail)  
Michael A. Faillace, Esq. (Via E-mail)  
Richard E. Signorelli, Esq. (Via E-mail)  
Juno Turner, Esq. (Via E-mail)

SO ORDERED:

---

U.S.D.J.